

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH,
KOLKATA ORIGINAL APPLICATION NO. 04 OF 2026/EZ**

IN THE MATTER OF:

Pramod Kumar Swain

... Applicant

-Versus-

The State Level Environment Impact
Assessment Authority (SEIAA), Odisha & Ors.

... Respondents

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... Respondents

PARAWISE COMMENTS / COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3
(MINING OFFICER, CUTTACK)

I, Sri Aditya Acharya, aged about 31 years, S/o.- Sri Arun Acharya, at present working as Mining Officer, Cuttack in the Office of the Deputy Director of Mines, Cuttack Circle, Cuttack, do hereby solemnly affirm and state as follows:

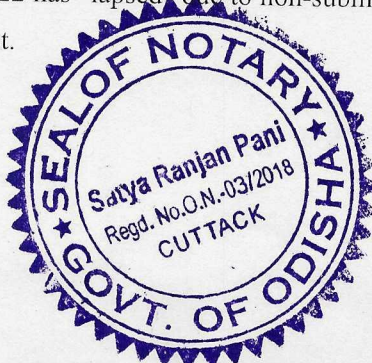
1. That I am at present serving as Mining Officer, Cuttack in the Office of the Deputy Director of Mines, Cuttack Circle. I have been arrayed as Respondent No. 3 in the instant Original Application (OA).
2. That I have gone through the contents of the OA filed by the Applicant, the connected case records, and have understood the contents made thereof. I am otherwise well conversant with the facts of the present case and therefore, I am competent to affirm this affidavit.
3. That at the outset, it is humbly submitted that all averments, contentions and/or statements contained in the aforesaid OA are erroneous, misconceived and vehemently denied, save and except those that are expressly admitted by Respondent No. 3 herein.

Aditya Acharya

PRELIMINARY SUBMISSIONS / OBJECTIONS:

4. **Suppression of Material Facts:** The present OA is liable to be dismissed at the threshold as the Applicant has approached this Hon'ble Tribunal with unclean hands by deliberately suppressing and misinterpreting material facts. The Applicant's primary contention that the Environmental Clearance (EC) dated 03.06.2022 has "lapsed" due to non-submission of the replenishment study is factually and legally incorrect.

SPD 04/04/26
Satya Ranjan Pani, Advocate
Notary, Cuttack



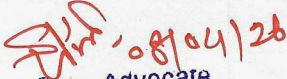
5. **Validity of EC and CTO:** The SEIAA, Odisha, vide its Letter No. 54874/195-MINB1/02-2022 dated 21.11.2024 (which the Applicant has ironically annexed to his own petition at Pages 41-45), explicitly issued an Amendment to the Environmental Clearance. This amendment permits the extraction of 9,900 cum of sand for a one-year period in an ad-hoc manner and clearly stipulates at Additional Stipulation (i) that the amended EC is liable to be revoked only if a satisfactory Annual Rate of Replenishment Study (ARRS) report is not submitted after **31st March 2026**. Furthermore, the State Pollution Control Board granted the Consent to Operate (CTO) on 03.12.2025, which is also valid up to 31.03.2026. True Copy of Consent to Operate (CTO) dated 03.12.2025 is annexed herewith as **Annexure R3/1**.
6. **Timeline of Operations completely falsifies the Applicant's claims:** The lease deed for the said quarry was executed on 24.08.2022 for a period of five years. However, due to multiple frivolous litigations, the quarry remained non-operational for an extended period. It was only after obtaining the CTO in December 2025 that the quarry finally became operational in **January 2026**. Therefore, the Applicant's allegations of a "sustained and deliberate course of illegal conduct" and continuous illegal transportation prior to this are entirely fabricated.
7. **Lawful Clearing of Approach Road with Inter-Departmental Consent:** The allegations of illegal tree felling are unfounded. The land in question (Plot No. 1261) is a river embankment belonging to the Department of Water Resources. The removal of bushes and trees was an absolute necessity to provide a "Right of Way" (approach road) for the quarry's operations. This was not a clandestine act; rather, the Superintending Engineer, Prachi Division, Bhubaneswar, explicitly communicated with the Divisional Forest Officer, City Forest Division, vide Letter No. 6084 dated 10.10.2022, officially intimating the requirement to cut trees to construct an approach road to the Sand Sairat. True Copy of Letter No. 6084 dated 27.10.2022 is annexed herewith as **Annexure R3/2**.
This clearing was executed lawfully after the Lessee deposited the requisite sum of Rs. 3,15,029/- towards the cost of cutting trees and compensatory plantation, as officially demanded by the Divisional Forest Officer (DFO), City Forest Division, Bhubaneswar. The Hon'ble High Court of Orissa in W.P.(C) No. 32830 of 2024 has already noted that the obstructions were lawfully cleared for upkeep and access, as recorded in order dated 10.12.2025. True Copy of order dated 10.12.2025 is annexed herewith as **Annexure R3/3**.

Aditya Acharya



PARAWISE REPLY:

9. That the averments made in the Synopsis and List of Dates are denied as they are a distorted representation of facts tailored to suit the Applicant's baseless narrative. The dates and events

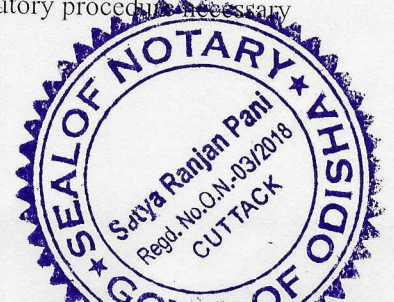

 Satya Ranjan Pani, Advocate
 Notary, Cuttack

ignore the crucial Amendment of the EC dated 21.11.2024 and the CTO dated 03.12.2025, which validate the project up to 31.03.2026, as well as the fact that mining only commenced in January 2026.

10. That in reply to the averments made in Paragraphs A(1) to A(3) [Regarding Environment Clearance], it is admitted that an EC was granted on 03.06.2022. However, the contention that the EC has lapsed is strongly denied. As stated in the preliminary objections, SEIAA amended the EC on 21.11.2024, altering the coordinates to maintain a 500m safety distance and granting an ad-hoc extension valid until 31.03.2026 for the submission of the ARRS report.
11. That in reply to Paragraphs A(4) to A(9), the land classification is a matter of record. The allegation that the tree cutting was a "disguised exercise" for "illegal mining" without statutory sanction is vehemently denied. The creation of an approach road is an integral, legally permissible necessity for operating any auctioned sairat source. The land-owning authority, the Department of Water Resources, through the Superintending Engineer, Prachi Division, formally acknowledged and facilitated this requirement by writing to the Forest Department on 27.10.2022. The Forest Department lawfully permitted this after joint verification and the deposit of Rs. 3,15,029/- for compensatory afforestation, establishing that full environmental mitigation was undertaken.
12. That in reply to Paragraphs A(10) to A(12), the same are denied. The statutory deadline for the replenishment study was explicitly extended to 31.03.2026 by SEIAA. Furthermore, the Hon'ble High Court of Orissa has already scrutinized the tree felling in W.P.(C) No. 32830 of 2024, rendering the Applicant's attempts to reopen the issue before this Tribunal as barred by the principles of res judicata.
13. That in reply to Paragraphs A(13) to A(17), the baseless and defamatory allegations accusing the Mining Officer, Cuttack Sadar of "actively facilitating" violations or failing to discharge statutory duties are strongly refuted. The answering respondent has acted strictly within the four corners of the OMMC Rules, 2016. Because the quarry only became operational in January 2026, no illegal transportation occurred during the preceding non-operational period.
14. That the grounds raised in Paragraphs B(1) to B(3) regarding the "lapse" of the EC are legally fallacious, as the Applicant has deliberately ignored the amended EC dated 21.11.2024 which supersedes the initial ad-hoc timeline.
15. That the grounds raised in Paragraphs B(4) to B(8) are denied. Constructing a Right of Way following due process, joint verification, official communication from the Water Resources Department, and deposit of compensatory funds to the Forest Department cannot be termed an "impermissible attempt at ex-post-facto validation." It is a standard statutory procedure necessary to operationalize the lease.

Aditya Acharya

Satya
 Satya Ranjan Pani, Advocate
 Notary, Cuttack



16. That the grounds raised in Paragraphs B(9) to B(14) are strongly denied. There has been no "conscious omission," "abuse of statutory power," or "breach of public trust" by Respondent No. 3. The quarry commenced operations in January 2026 strictly after obtaining the CTO from the OSPCB. The demand for criminal prosecution under Section 15/19 of the EP Act is entirely vindictive, unsubstantiated, and without legal merit.
17. That in reply to the averments made regarding Limitation in Paragraph C, the same are denied. There is no "continuing cause of action" because the alleged environmental harm (tree felling) was a singular, legally sanctioned act for which full compensatory afforestation measures have already been initiated by the Forest Department.

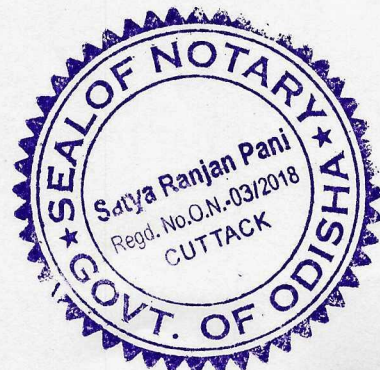
REPLY TO PARAD & E (PRAYER & GROUNDS FOR INTERIM RELIEF)

18. That the prayers and grounds for interim relief are vehemently opposed. The Applicant has completely failed to make out any prima facie case warranting interim restraint. The EC and CTO are valid until 31.03.2026, the approach road was legally cleared with full departmental coordination, and the quarry is a legitimately auctioned state asset that has finally commenced operations to generate public revenue. Granting interim relief based on this misconceived application would cause irreparable financial loss to the State exchequer.
19. That it is further submitted that the Applicant has approached this Hon'ble Tribunal with unclean hands, deliberately suppressing the Amended EC dated 21.11.2024 and the CTO dated 03.12.2025, while simultaneously levelling baseless, scandalous, and unsubstantiated allegations against a public servant (Respondent No. 3) discharging his statutory duties. The present Original Application is therefore nothing but a frivolous, vexatious litigation aimed at harassing the statutory authorities and stalling legitimate mining operations.

PRAYER:

20. That in view of the aforesaid facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the present Original Application with exemplary costs levied upon the Applicant for an abuse of the process of law, and pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice.
21. That this deponent craves leave of this Hon'ble Tribunal to file a further affidavit, if necessary, for the just decision of the case.
22. That the statements made above are true to my information derived from the official records and are my submissions to this Hon'ble Tribunal.

Satya Ranjan Pani
 Satya Ranjan Pani, Advocate
 Notary, Cuttack



Aditya Acharya

Aditya Acharya ✕

DEPONENT
Mining Officer
Cuttack Circle, Cuttack

VERIFICATION

I, Sri Aditya Acharya, the deponent above named, do hereby verify and declare that the contents of the above affidavit are true and correct to the best of my knowledge derived from official records. No part of it is false and nothing material has been concealed therefrom.

Verified at Cuttack on this the 8th day of April, 2026.

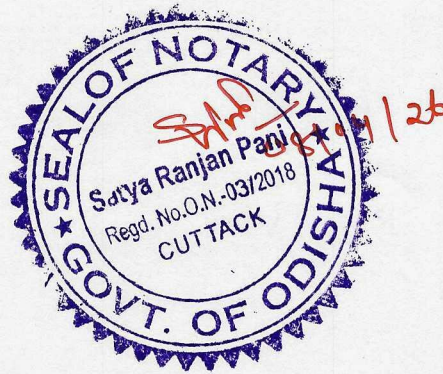
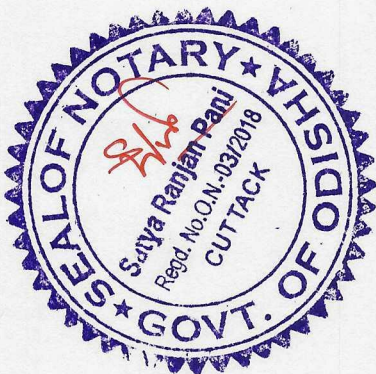
Aditya Acharya ✕

DEPONENT
Mining Officer
Cuttack Circle, Cuttack

Solemnly Sworn before me by A. Acharya.
being identified by..... Advocate
at Cuttack, dated 08/04/26

S.R.P. 08/04/26
Satya Ranjan Pani, Advocate
Notary, Cuttack

S.R.P. 08/04/26
Satya Ranjan Pani, Notary, Cuttack





TEL/ FAX: 0671-2314255
E-mail: rospcb.cuttack@ospcbboard.org
Website: www.ospcbboard.org

OFFICE OF THE REGIONAL OFFICER, CUTTACK
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
586, SURYAVIHAR, LINK ROAD, CUTTACK-753012

No. 3815 / 2599

Dt. 03.12.2025

CONSENT TO OPERATE ORDER

CONSENT ORDER NO. RO/CTC/CTO/ 233 /2023/WPC/APC

Sub: Consent for discharge of sewage and trade effluent under Section 25/26 of the Water (PCP) Act, 1974 and under Section 21 of Air (PCP) Act, 1981 for existing/new operation of the plant.

Ref: Your Online Application No. 7107903, dtd. 28.11.2025 and earlier this office Consent to Operate order issued vide letter No. 391/2599, Dtd. 14.02.2023.

Consent to Operate is hereby granted under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & control of Pollution) Act, 1981 and rules framed thereunder to:

Name of the Mines:

M/s. KUAKHAI RIVER SAND, PRATAPNAGARI

Name of the Occupier & Designation:

Sri Prakash Chandra Routray, Lessee

Address of the unit:

At: Mouza Pratapnagari (Plot No. 1248 of Khata No. 1030), Lease hold area of 13.00 Acres (or 5.26 Ha.), P.S./Tahasil: Sadar Cuttack, Dist.: Cuttack, Odisha.

This consent order is valid for the period up to 31.03.2026

This consent order is valid for the product quantity, specified, outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

A. **Details of Products Manufactured:**

Sl. No.	Product	Quantity
1.	Mining of River Sand	9,900 Cubic Meter/Annum

P.T.O



CONSENT ORDER

Page 2

A. Discharge permitted through the following outlets subject to the standard

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr	Prescribed standard			
				pH	TSS mg/l	O & G mg/l	BOD mg/l
01.	Septic Tank (Domestic effluent)	Soak pit		-	-	--	-

B. Emission permitted through the following stack subject to the prescribed standard

Chimney Stack No.	Description of Stack	Stack height (m)	Quantity of emission	Prescribed standard			
					PM	SO ₂	NO _x

C. Disposal of solid waste permitted in the following manner

Sl. No.	Type of Solid Waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site.
1.	Top soil/over burden	As per approved mining plan	--	--	--	As per approved mining plan

P.T.O.



- E. GENERAL CONDITIONS FOR ALL UNITS.
1. The consent is given by the Board in consideration of the particulars given in the application. Any change or alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review / variation / revocation of the consent order under section 27 of the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations is deemed fit for the purpose of the Acts.
 2. The industry would immediately submit revised application for consent to operate to this Board in the event of any change in the quantity and quality of raw material / and products / manufacturing process or quantity / quality of the effluent rate of emission / air pollution control equipment / system etc.
 3. The applicant shall not change or alter either the quality or quantity or the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
 4. The application shall comply with and carry out the directives / orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order / directives issued at any time and / or violation of the terms & conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law / Act.
 5. The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
 6. The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
 7. This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
 8. The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
 9. An inspection book shall be opened and made available to Board's Officers during the visit to the factory.
 10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system / air pollution control system / stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water / Air.
 11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.

Cntd...



CONSENT ORDER

12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed,
 - b) Domestic purpose.
 - c) Process.
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharge is not fit for the domestic use / bathing.
14. Storm water shall not be allowed to mix with the trade and / or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys / stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provisions of the Act or Rules made therein.

Contd...



CONSENT ORDER

24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples / stack monitoring / inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and / or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention & Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge / emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions / stop the operation of the plant. Report of such accidental discharge / emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks / chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.
32. Any upset condition in any of the plant / plants of the factory which is likely to result in increased effluent discharge / emission of air pollutants and / or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax / speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries or industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board so as no to cause fugitive emission, dust problems through leaching etc. of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by :

Cntd...



CONSENT ORDER

- i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be de-toxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The de-toxication or sealing and burying shall be carried out in the presence of Board's authorized person only. Letter of authorization shall be obtained for handling and disposal of hazardous wastes.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his / heirs / legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and / or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21A of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke / refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify / stipulate additional conditions as deemed appropriate.

Contd...



CONSENT ORDER

Page 7

- F. SPECIAL CONDITONS:
1. The mine shall abide by the stipulated conditions of amended environmental clearance obtained from the State Environmental Impact Assessment Authority (SEIAA), Bhubaneswar vide File No. 54874/195-MINB1/02-2022 issued on dtd. 21.11.2024.
 2. The Lessee shall intimate the status of amendment of Environmental Clearance if any and accordingly amend the Consent to Operate.
 3. The Lessee shall undertake study of annual replenishment rate of sand as per condition stipulate in Environmental Clearance.
 4. The validity of the consent to operate order is subject to the validity of Environmental Clearance and shall be coterminous with the expiry of Environmental clearance.
 5. The project proponent shall take statutory clearance/ approval/ permission for the concerned authority in respect of his project as and when required.
 6. Any change in mining technology/scope of working shall not be made without prior approval of the SEIAA.
 7. The project proponent should carry out River bed sand mining as per Amended EC issued by SEIAA vide Bhubaneswar vide File No. 54874/195-MINB1/02-2022 issued on dtd. 21.11.2024.
 8. This Consent to Operate order is subject to final decision of competent legal forum, if any.
 9. An Annual Return of the production undertaken shall be submitted at the end of financial year.
 10. Domestic effluent if any from mine shall be discharged to soak pit via septic tank constructed as per BIS specification.
 11. Ambient air quality inside the mining lease area shall be maintained as per National Ambient Air Quality Standards, 2009 (As per enclosed Annexure-II).
 12. Dust suppression on mine haul roads shall be carried out by spraying water through mobile/fixed water sprinklers.
 13. The sand loaded vehicles shall be covered with tarpaulin cover to control fugitive emission during transportation.
 14. Dust/ sand deposited on haul roads due to movement of sand loaded vehicles shall be cleaned regularly to control fugitive emission.
 15. The Lessee shall undertake plantation as mentioned in the Mining Plan.

Contd...



CONSENT ORDER

16. Adequate measures shall be taken for control of noise levels in the work environment of mine area so that noise levels at the boundary line of mine lease area shall not exceed 75 dB(A) during day time (6.00 AM to 10.00 AM) and 70 dB(A) during night time (10.00 PM to 6.00 AM).
17. The mine shall abide by all the provisions of E (P) Act 1986 and Rules framed there under.
18. The Board may impose further condition or modify the conditions as stipulated in this order during operation and may revoke this order in case the stipulated conditions are not implemented and/or information is found to have been suppressed/wrongly furnished in the application form.
19. If it is found that the sand quarry is operated without adequate pollution control measures direction for closure shall be issued under section 31(A) of Air PCP Act.1981 and/or under section 33(A) of Water (PCP) Act, 1974 as the case may be without any further notice.
20. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
21. The Board reserves the right to revoke /refuse consent at any time during this period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

The occupier must comply with the conditions stipulated in section A, B, C, D, E and F to keep this consent order valid.

REGIONAL OFFICER

To,

Sri Prakash Chandra Routray, Lessee,
M/s. Kuakhai River Sand, Pratapnagari,
At: Durgapur, P.O: Bajpur (Gurujanga),
P.S.: Khurdha, Dist: Khurdha, Odisha - 752060.

Memo No: 3816 Dtd. 03.12.2025

Copy forwarded to:

1. The Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar.
2. The Collector & District Magistrate, Cuttack.
3. The Tahasildar, Sadar Cuttack.
4. The Deputy Director Mines, Cuttack Circle, Cuttack.
5. Copy to Guard file.

REGIONAL OFFICER



CONSENT ORDER

GENERAL STANDARDS FOR DISCHARGE OF ENVIRONMENT POLLUTANTS PART - A :
EFFLUENTS.

Sl. No.	Parameters	Standards			
		Inland surface	Public sewers	Land for Irrigation	Marine Coastal Areas
1	2	3			
		(a)	(b)	(c)	(d)
1	Colour & odour	Colourless /Odourless as far as practicable	-----	See 6 of Annex. 1	See 6 of Annex. 1
2	Suspended solids (mg/l)	100	600	200	a. For process wastewater - 100 b. For cooling water effluent 10% above total suspended matter of influent.
3	Particular size of SS	Shall pass 850	-----	-----	
4	-----	-----	-----	-----	
5	pH value	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0	5.5 to 9.0
6	Temperature	Shall not exceed 5°C above the receiving water temperature.	-----	-----	Shall not exceed 5°C above the receiving water temperature.
7	Oil & Grease mg/l max.	10	20	10	20
8	Total residual chlorine	1.0	-----	-----	1.0
9	Ammonical nitrogen (as N) mg/l max.	50	50	-----	50
10	Total Kjeldahl nitrogen (as NH ₃) mg/l max.	100	-----	-----	100
11	Free ammonia (as NH ₃) mg/l max.	5.0	-----	-----	5.0
12	Biochemical Oxygen Demand (5 days at 20°C) mg/l max.	30	350	100	100
13	Chemical Oxygen Demand mg/l max.	250	-----	-----	250
14	Arsenic (as As) mg/l max.	0.2	0.2	0.2	0.2
15	Mercury (as Hg) mg/l max.	0.01	0.01	-----	0.001
16	Lead (as pb) mg/l max.	0.01✓	1.0	-----	2.0
17	Cardmium (as Cd) mg/l max.	2.0	1.0	-----	2.0
18	Hexavalent chromium (as Cr ⁶) mg/l max.	0.1	2.0	-----	1.0
19	Total Chromium (as Cr) mg/l max.	2.0	2.0	-----	2.0

20	Copper (as Cu) mg/l max.	3.0	3.0	-----	3.0
21	Zinc (as Zn) mg/l max.	5.0	15	-----	15
22	Selenium (as Se) mg/l max.	0.05	0.05	-----	0.05
23	Nickel (as Nil) mg/l max.	3.0	3.0	-----	5.0
24	Cyanide (as CN) mg/l max.	0.2	2.0	0.2	0.02
25	Fluoride (as F) mg/l max.	2.0	15	-----	15
26	Dissolved Phosphates (as P) mg/l max.	5.0	-----	-----	-----
27	Sulphide (as S) mg/l max.	2.0	-----	-----	5.0
28	Phenolic compounds (as C ₆ H ₅ OH) mg/l max.	1.0	5.0	-----	5.0
29	Radioactive Materials				
	a) Alpha emitter micro curie/ml.	10 ⁷	10 ⁷	10 ⁸	10 ⁷
	b) Beta emitter micro curie/ml.	10 ⁶	10 ⁶	10 ⁷	10 ⁶
30	Bio-assay test:	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent	90% survival of fish after 96 hours in 100% effluent
31	Manganese (as Mn)	2 mg/l	2 mg/l	-----	2 mg/l
32	Iron (as Fe)	3 mg/l	3 mg/l	-----	3 mg/l
33	Vanadium (as V)	0.2 mg/l	0.2 mg/l	-----	0.2mg/l
34	Nitrate Nitrogen	10 mg/l	-----	-----	20 mg/l



CONSENT ORDER

Annex - II

NATIONAL AMBIENT AIR QUALITY STANDARDS

Sl. No.	Pollutants	Time Weighed Average	Concentrate of Ambient Air		
			Industrial Residential, Rural and other Area	Ecologically Sensitive Area (notified by Central Government)	Methods of Measurement
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sulphur Dioxide (SO ₂) µg/m ³	Annual * 24 Hours **	50 80	20 80	-Improved west and Gaeke - Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO ₂) µg/m ³	Annual * 24 Hours **	40 80	30 80	- Modified Jacob & Hochheiser (Na-Arsenite) - Chemiluminescence
3.	Particulate Matter (size less than 10 mm) or PM ₁₀ µg/m ³	Annual * 24 Hours **	60 100	60 100	- Gravimetric TOEM - Beta Attenuation
4.	Particulate Matter (size less than 2.5 mm) or PM _{2.5} µg/m ³	Annual 24 Hours	40 60	40 60	- Gravimetric TOEM - Beta Attenuation
5.	Ozone (O ₃) µg/m ³	8 Hours ** 1 Hours **	100 180	100 180	- UV Photometric - Chemiluminescence - Chemical Method
6.	Lead (Pb) µg/m ³	Annual * 24 Hours **	0.50 1.0	0.50 1.0	- AAS/ICP method after sampling on EMP 2000 or equivalent filter paper. - ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m ³	8 Hours ** 1 Hours **	02 04	02 04	- Non Dispersive Infra Red (NDIR) Spectroscopy
8.	Ammonia (NH ₃) µg/m ³	Annual * 24 Hours **	100 400	100 400	- Chemiluminescence - Indophenol Blue Method
9.	Benzene (C ₆ H ₆) µg/m ³	Annual	05	05	- Gas Chromatography based continuous analyzer - Adsorption and Desorption followed by GC analysis
10.	Benzo (a) Pyrene (BaP)-Particulate phase only, ng/m ³	Annual *	01	01	- Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As), ng/m ³	Annual *	06	06	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper.
11.	Nickel (Ni), ng/m ³	Annual *	20	20	- AAS/ICP method after sampling on EPM 2000 or equivalent filter paper.

** Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year, 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.



Annexure R3/2

OFFICE OF THE SUPERINTENDING ENGINEER,
PRACHI DIVISION, BHUBANESWAR-12
E-mail: prachi.division@yahoo.co.in, Phone: 06742562427

Letter No. 6084 (10/22)

Dated 27/10/22

To

The Divisional Forest Officer
City Forest Division,
Green Park Nursery,
Saheed Nagar, Bhubaneswar - 751007

Sub: - Regarding removal of trees from Plot No. 1261 under Khata No. 1027 of Mouza - Pratapnagari under Cuttack Sadar Tahasil.

Ref - Letter No. 5926 dated 11.10.2022 of Tahasildar, Sadar Cuttack.

Sir,

With reference to the letter and subject cited above, it is to intimate that Plot No. 1261 under Khata No. 1027 of Mouza - Pratapnagari under Cuttack Sadar Tahasil belongs to Department of Water Resources. The above plot of Kisam is river embankment. The proposed site has been inspected by S.D.O, Pratapnagari with his Assistant Engineer and is found that there are some trees planted over the said plot by the villagers of Pratapnagari. The adjacent area in river Kuakhai is the Sand Sairat source. The Tahasildar, Sadar Cuttack wants to cut the above trees for construction of approach road on left embankment of Kuakhai to Sand Sairat through this plot.

This is for favor of your information and necessary action.

Encl :- Khatiyani - 3 pages

Yours faithfully,

[Signature]
Superintending Engineer
Prachi Division, Bhubaneswar

Memo No. 6085 /Dated 27/10/22

Copy to the Tahasildar, Cuttack Sadar, Cuttack with reference to your Letter No. 5926 dated 11.10.2022.

[Signature]
Superintending Engineer
27/10/22

Memo No. 6086 /Dated 27/10/22

Copy to the Assistant Executive Engineer, Pratapnagari Irrigation Sub-Division, Pratapnagari for information with reference to his Letter No. 631 / WE dated 20.10.2022.

[Signature]
Superintending Engineer
27/10/22



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.32830 of 2024

Prakash Chandra Rautaray ... **Petitioner**
Mr. Sanjib Kumar Bhanjadeo, Advocate
 -Versus-
State of Odisha and others ... **Opposite Parties**
Mr. Saswat Das, Additional Government Advocate

CORAM:
THE HON'BLE THE CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER
10.12.2025

Order No.

04.

1. The instant writ petition was filed by the petitioner alleging inaction on the part of the authorities in not taking any steps for removal of an unauthorized encroachment over the river bank of Kuakhai and clearing of the herbs, shrubs and the trees grown due to 'un-keep', which impedes the operation of a sand quarry allotted to the petitioner.
2. Earlier, the matter was listed on 07.02.2025, where a sum of Rs.3,15,029/- was recorded to be deposited for cutting the trees and removal of other herbs and shrubs and the grass grown at the sand quarry, but no final direction could be passed as the learned Addl. Government Advocate sought for adjournment to take necessary instruction.
3. The instant writ petition was listed from time to time, but was adjourned as the learned Addl. Government Advocate sought for an adjournment so that appropriate action may be taken to redress the grievance raised by the petitioner.



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4. Today, the written instruction received from the Mining Officer, Cuttack Circle, Cuttack (opposite party No.5) is handed over by the learned Addl. Government Advocate, which reveals that all such obstructions and/or hurdles as pointed out by the petitioner have been removed and the entire area is not only free from any encroachment but also the bushes and the trees which were grown for 'un-keep' have also been cleared up. The Mining Officer further opined that after the removal of all such obstacles, the approach road is otherwise may be conducive for clearing of the sand. There is no fetter on the part of the petitioner to operate the said sand quarry in terms of the relevant statutory rules.
5. Since the primary grievance raised in the instant writ petition relates to removal of an encroachment and clearing of bushes and/or the trees having grown upon, the approach road has already been redressed and there is no impediment on the part of the petitioner to operate the sand quarries in terms of the relevant statutory rules, there is no point in keeping the instant writ petition pending.
6. On the basis of the facts recorded hereinabove, the writ petition stands disposed of.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge

Signature Not Verified

Aswini

Digitally Signed
Signed by: ASWINI KUMAR SATHY
Designation: Personal Assistant
(Secretary in-charge)
Reason: Authentication
Location: ORISSA HIGH COURT,
CUTTACK
Date: 10-Dec-2025 20:24:39

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIIGNAL APPLICATION NO. 04 OF 2026

IN THE MATTER OF:

PRAMOD KUMAR SWAIN

.... APPLICANT

VERSUS

THE STATE LEVEL ENVIRONMENT IMPACT

ASSESSMENT AUTHORITY (SEIAA), ODISHA & ORS.

...RESPONDENTS

I, Respondent No. 3 (Mining Officer, Cuttack), does hereby appoint:

ALPHA LEGAL CONSULTANTS
C-53, JANGPURA EXTENSION, NEW DELHI -110014
CONTACT NO 9988799877, EMAIL: adv.varunchugh@gmail.com, corporate@alcadvocates.com

Shagun Shahi Chugh	Sidrah Jami	Anant Vikram	Khyati	Yudhveer	Aishwary	Shubham
			Sharma	Singh	Jaiswal	Singh
PH/4181/2019	D/8108/2021	D/771/2022	D/5762/2024	D/12384/2022	D/6094/2023	D/4312/2024

To be my Advocates in the above-noted case and authorized them: -

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and in the appellate Court including High Court, Supreme Court, subject to payment of fees separately for each Tribunal/ Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

The deposit, receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Tribunal/ Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 8th day of April, 2026.

Aditya Acharya

Advocate

Client